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08-25-00  
EV

**INITIAL SCREENING OF INCOMING PAPERS CHECKLIST**

Reviewer: AMC

Date: 8/15/00

APPLICATION NO. 09/531/120

1. Petition Type(s) (i.e., 137(b); 137(a))  
1.10

Code(s) (502, 501, 503, etc):  
411

0300  
2/8/100

**NOTE: Petitions to Expedite require prompt attention and should be brought to the appropriate deciding official's attention.**

2. List Papers to be entered on contents of file jacket filed with petition:

1. Pet. 1.10
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

3. Application number on petition agrees with applicant and/or title of invention (this can be verified on PALM or on Netscape) yes no. If application number is not correct, indicate correct application no. \_\_\_\_\_ and correct on petition/papers filed.

4. Is paper a petition to withdraw holding of abandonment: yes no  
If so, send paper and/or file to appropriate location (*Note: remove any flag set first*):

(Circle appropriate)

- a. Nonreceipt of action from TC or assertion that reply was timely filed:  
Send paper to TC \_\_\_\_\_
- b. Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:  
Send paper to OIPE-Betty Robinson -CP2-7D25 (PH: 308-0910)
- c. Assertion of timely payment of issue fee and/or submission of drawings:  
Send petition to Office of Publications: ATTN: Tom Hawkins
- d. Other \_\_\_\_\_

5. Information Disclosure Statement:

- a. Is file in the Office of Petitions? yes (if yes, match paper with file)  
no (send paper to file location)

6. Other: \_\_\_\_\_

If not handled in Office of Petitions, send paper to appropriate location.

7. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no

If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)

DAC

FULBRIGHT & JAWORSKI L.L.P.

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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:	
August 8, 2000	
Date	Signature

FILE: ARCD:309US

August 8, 2000

Assistant Commissioner for Patents  
Washington, DC 20231

RE: SN 09/531,120 "PLANT CHROMOSOME COMPOSITIONS AND METHODS" –  
*Daphne Preuss, et al.*

Sir:

Enclosed for filing in the above-referenced patent application is:

- (1) A Petition for Correcting Filing Date Under 37 C.F.R. §1.10(c);
- (2) Exhibit A – A copy of the front page of patent application Ser. No. 09/531,120;
- (3) Exhibit B – A copy of the transmittal letter filed with patent application Ser. No. 09/531,120;
- (4) Exhibit C – A copy of the "Express Mail" mailing label number EM167083591US; and
- (5) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Assistant Commissioner for Patents  
August 8, 2000  
Page 2



Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Fulbright & Jaworski, L.L.P. Deposit Account No. 50-1212/10008241/10056.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Hanson".

Robert E. Hanson  
Agent for Applicants  
Reg. No. 42,628

Encl.:



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
DAPHNE PREUSS  
GREGORY COPENHAVER  
KEVIN KEITH

Group Art Unit: 1643

Examiner: Unknown

Serial No.: 09/531,120

Atty. Dkt. No.: ARCD:309/REH

Filed: March 17, 2000

For: PLANT CHROMOSOME  
COMPOSITIONS AND METHODS

**RECEIVED**

AUG 15 2000

OFFICE OF PETITIONS

PETITION FOR CORRECTED FILING DATE UNDER 37 C.F.R. § 1.10(c)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

A corrected filing date is hereby requested under 37 C.F.R. § 1.10(c) in view of the incorrect filing date which apparently was recorded by the Patent and Trademark Office, as evidenced by the Filing Receipt and Notice to File Missing Parts of Application received in the case, both of which indicate March 2, 2000 as the filing date of the application. The correct filing date is March 17, 2000, as is set forth herein below. Pursuant to 37 C.F.R. § 1.10(c), (1)

the instant Petition has been filed promptly following indication that the filing date accorded in the case was incorrect, (2) the number of the "Express Mail" mailing label was placed on the front page of the patent application-as-filed (copy attached as **Exhibit A**), as well as the transmittal letter filed with the application (copy attached as **Exhibit B**), which itemized each of the papers comprising the application, and (3) a true copy of the "Express Mail" mailing label showing the "date-in" of March 17, 2000 has been attached herewith as **Exhibit C**.

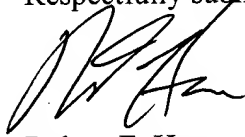
Pursuant to items (2) and (3) above, copies of the front page of the patent application and the transmittal letter filing the instant application have been attached herewith as **Exhibit A** and **Exhibit B**. Both the transmittal letter and the front page of the patent application are marked with the Express Mail number under which the application was filed, EM167083591US, as well as the March 17, 2000 filing date. The transmittal letter itemizes the materials comprising the application.

As further evidence of the March 17, 2000 filing date of the above-captioned application, Applicants have provided herewith a true copy of the "Express Mail" mailing label showing the "date-in" of March 17, 2000 (**Exhibit C**). The copy of the mailing label was received via facsimile from the United States Postal Service on August 8, 2000, as an original was not available to Applicants as of the filing date of this paper.

In light of the foregoing, Applicants respectfully request that the filing date of the instant application be corrected to March 17, 2000. No fees are believed to be due in connection with the instant paper. However, should any fee under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Assistant Commissioner is hereby authorized to deduct said fee from Fulbright & Jaworski, L.L.P. Deposit Account No. 50-12128/10008241/REH.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628  
Agent for Applicants

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600 CONGRESS AVE, STE., 1900  
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(512) 418-3000

Date: 8/8/00

PATENT  
P-01912US7

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APPLICATION FOR UNITED STATES LETTERS PATENT  
for  
PLANT CHROMOSOME COMPOSITIONS AND METHODS  
by  
Daphne Preuss  
Gregory Copenhaver  
and  
Kevin Keith

<p><u>EXPRESS MAIL MAILING LABEL</u> NUMBER: EM167083591US DATE OF DEPOSIT: March 17, 2000</p>
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NUMBER EM167083591US  
DATE OF DEPOSIT March 17, 2000

March 17, 2000

FILE: ARCD:P-01912US7

## BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application Entitled: PLANT CHROMOSOME COMPOSITIONS AND METHODS – Daphne Preuss, Gregory Copenhaver and Kevin Keith*

Sir:

Transmitted herewith for filing is a 204-page patent specification including 231 claims and an abstract. Included with the specification is a 40 page sequence listing comprising SEQ ID NOS:1-179. Also included with the specification is a 1142 page appendix giving the sequences identified in the specification by SEQ ID NOS:180-212. Further included are FIGS. 1-23D on 65 sheets. The specification, drawings, sequence listing and appendix constitute the application of Daphne Preuss, Gregory Copenhaver and Kevin Keith for the captioned invention.

Please note that this application is filed without an inventors' Declaration and Assignment, a Declaration Claiming Small Entity Status, a Power of Attorney, and filing fees. Pursuant to 37 C.F.R. § 1.53(b) and (f), the Applicants request the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, the Applicant requests that the NOTICE OF MISSING PARTS-FILING DATE GRANTED pursuant to 37 C.F.R. § 1.53(f) be sent to the undersigned Applicant's representative.

Assistant Commissioner for Patents  
March 17, 2000  
Page 2

Please date stamp and return the enclosed postcard to evidence receipt of this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'R. E. Hanson', written over the typed name.

Robert E. Hanson  
Agent for Applicants  
Reg. No. 42,628

REH/jmh  
Encl: